

UNITED STATES DISTRICT COURT
for
WESTERN DISTRICT OF TENNESSEE

U.S.A. vs. RAYMOND HARDY

Petition on Probation and Supervised Release

FILED BY JG D.C.

05 DEC 21 AM 9:28

Docket No. 2:00CR20010-002

THOMAS A. COULD
CLERK, U.S. DISTRICT COURT
W/D OF TN, MEMPHIS

COMES NOW CHRISTY J. HENSON PROBATION OFFICER OF THE COURT presenting an official report upon the conduct and attitude of Raymond Hardy who was placed on supervision by the Honorable Bernice B. Donald, sitting in the Court at Memphis, TN on the 3rd day of July, 2002 who fixed the period of supervision at two (2) years*, and imposed the general terms and conditions theretofore adopted by the Court and also imposed Special Conditions and terms as follows:

- (1) The defendant shall submit to drug testing and treatment programs as directed by the Probation Officer.
- (2) The defendant shall not consume alcohol throughout the duration of his term of supervision. (Added by Modification on November 5, 2005)

* Term of Supervised Release began on December 23, 2003.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Mr. Hardy has violated the terms of his supervision in that, On November 29, 2005, he was observed by a City of Memphis Police Officer committing several traffic violations. Mr. Hardy was stopped and asked to participate in a Field Sobriety Test. He performed poorly and a Breathalyzer Test was administered which reported a reading of 0.145. Mr. Hardy was arrested and charged with Driving While Under the Influence of Intoxicants/Drugs, Impeding Traffic, and Straddling Lanes. Mr. Hardy was later released on a \$100.00 bond and the matter is scheduled in General Session Court, Division 11, on January 27, 2006. Upon considering Mr Hardy's four (4) previous Driving While Under the Influence of Intoxicant convictions and drug treatment history, it is felt a sanction expressing the seriousness of his actions is needed. Mr. Hardy has agreed and decided to waive his right to a hearing before the Court with respect to this violation and has agreed to a modification of his Special Conditions of Supervised Release. Attached is the Probation Form 49 (Waiver of Hearing to Modify Conditions of Supervision).

PRAYING THAT THE COURT WILL ORDER the defendant to: (1) Extend his term of supervision for six (6) months [Extended Date: June 21, 2006]; (2) Perform fifty (50) hours of non-compensated community service; (3) Complete DUI School; and (4) Complete one (1) Victim Impact Panel.

ORDER OF COURT

Considered and ordered this 21 day of December, 2005 and ordered filed and made a part of the records in the above case.

Bernice B. Donald
United States District Judge

Respectfully,

Christy J. Henson
Christy J. Henson
United States Probation Officer

Place: Memphis, TN

Date: December 21, 2005

This document entered on the docket sheet in compliance with Rule 55 and/or 32(b) FRCP on 12/21/05

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United States District Court
WESTERN District TENNESSEE

**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

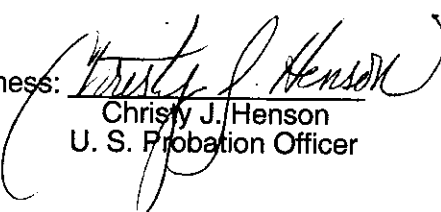
THE DEFENDANT SHALL EXTEND THE TERM OF SUPERVISION FOR SIX MONTHS.

THE DEFENDANT SHALL PERFORM 50 HOURS OF NON-COMPENSATED COMMUNITY SERVICE.

THE DEFENDANT SHALL COMPLETE DUI SCHOOL .

THE DEFENDANT SHALL ALSO COMPLETE ONE VICTIM IMPACT PANEL.

Witness:


Christy J. Henson
U. S. Probation Officer

Signed:


Raymond Hardy
Supervised Releasee

Witness:


Johnetta Norman
Supervising Probation Officer

12.21.05

Date



Notice of Distribution

This notice confirms a copy of the document docketed as number 89 in case 2:00-CR-20010 was distributed by fax, mail, or direct printing on December 21, 2005 to the parties listed.

Paul M. O'Brien
U.S. ATTORNEY'S OFFICE
167 N. Main St.
Ste. 800
Memphis, TN 38103

Honorable Bernice Donald
US DISTRICT COURT